

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

LOS ANGELES UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2015040570

ORDER SETTING MEDIATION AND
CONTINUING PREHEARING
CONFERENCE ONLY

On April 21, 2015, the Office of Administrative Hearings granted the joint request of Los Angeles Unified School District and Student for a first continuance of the dates for the pre-hearing conference and hearing in this matter, continuing the hearing to June 2 and 3, 2015, and the prehearing conference to May 15, 2015. The parties did not request a continuance of the then-existing mediation date, but thereafter cancelled the mediation.

On April 28, 2015, the parties filed a joint request to add a mediation date and continue the prehearing conference one week. The parties did not request a further continuance of the hearing date.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is:

Granted. The existing prehearing conference date only is vacated, a mediation date is added, and the prehearing conference is continued, as follows:

Mediation:

Date: 05/12/2015
Time: 9:00 a.m. to 12:30 p.m.
Place: Los Angeles Unified School District
333 South Beaudry Avenue, 17th Floor
Los Angeles, CA 90017

Telephonic Prehearing Conference:

Date: 05/22/2015
Time: 3:00 p.m.

Due Process Hearing:

Date: Unchanged, remains set for 06/2-3/2015
The hearing shall continue day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.
Time: 9:30 a.m. on June 2 and 9:00 a.m. on June 3 and each day thereafter.
Place: Office of Administrative Hearings
15350 Sherman Way, Suite 300
Van Nuys, CA 91406

IT IS SO ORDERED.

DATE: May 4, 2015

/s/

ROBERT MARTIN
Administrative Law Judge
Office of Administrative Hearings